

Nicholas L. Wallace, WSBA #26157  
SCHULTHEIS TABLER WALLACE  
56 C Street NW  
P. O. Box 876  
Ephrata, WA 98823  
(509) 754-5264  
Attorneys for Defendant  
Estate of Roger R. Hoose

THE HONORABLE EDWARD F. SHEA

UNITED STATES DISTRICT COURT  
FOR THE  
EASTERN DISTRICT OF WASHINGTON

STATE FARM LIFE INSURANCE  
COMPANY,

Plaintiff,

v.

KATHY GRIFFEN and WILMA  
HOOSE, Co-Personal Representatives  
of the ESTATE OF ROGER R.  
HOOSE, and CATHLEEN M.  
McCALL,

Defendants.

Civil Action No.  
CV-08-375-EFS

ESTATE OF ROGER R.  
HOOSE'S STATEMENT OF  
UNDISPUTED FACTS

Defendant, Estate of Roger Hoose ("Estate"), by and through its attorneys,  
Schultheis Tabler Wallace and Nicholas L. Wallace, files the following statement  
of undisputed facts in support of its motion for summary judgment. Supporting  
excerpts from the record are attached as exhibits and numbered sequentially.

ESTATE OF ROGER R. HOOSE'S STATEMENT OF  
UNDISPUTED FACTS - 1

F:\Clients\G - H\Hoose, Roger R\Probate of Estate W1646\US District Court CV-08-375-EFS - NLW\PL  
Statement of Undisputed Facts.doc

SCHULTHEIS TABLER WALLACE  
P.O. BOX 876 56 C STREET N.W.  
EPHRATA, WASHINGTON 98823  
TELEPHONE (509) 754-5264  
FAX (509) 754-5835

1           1.     On or about May 30, 1987, Roger R. Hoose married Cathleen M.  
2     McCall. (Declaration of Kathy Griffin, page 2, line 1; Amended Complaint for  
3     Interpleader, paragraph 5)

4           2.     On or about May 5, 1994, State Farm Insurance Company issued a  
5     Universal Life Insurance policy number LF-1352-5503 to Roger R. Hoose.  
6     (Amended Complaint for Interpleader, paragraph 4). The policy provided an  
7     insurance benefit in the amount of \$100,000.00 in the event of Roger R. Hoose's  
8     death. (Amended Complaint for Interpleader, paragraph 4).

9           3.     Roger R. Hoose named his spouse, Cathleen M. Hoose (now known  
10    as Cathleen McCall), as the primary beneficiary. (Amended Complaint for  
11    Interpleader, paragraph 4). Mr. Hoose named the Estate of Roger Rodney Hoose  
12    as the successor beneficiary. (Amended Complaint for Interpleader, paragraph 4).

13           4.     On or about March 16, 1999, the Thurston County Superior Court  
14    dissolved the marriage of Roger R. Hoose and Cathleen M. Hoose. (Declaration  
15    of Nicholas L. Wallace, paragraph 2). The Court entered a Decree of Dissolution  
16    in which it awarded Roger R. Hoose any and all interest in insurance policies in  
17    his name. (Decree of Dissolution, Exhibit A to Declaration of Nicholas L.  
18    Wallace).

5. Following the dissolution of his marriage, Roger R. Hoose did not change the primary beneficiary designation on LF-1352-5503. (Amended Complaint for Interpleader, paragraph 7).

6. Roger R. Hoose died on July 18, 2008. The sum of \$100,000 is now payable under the terms of LF-1352-5503. (Declaration of Kathy Griffin, page 2, lines 9-12; Amended Complaint for Interpleader, paragraph 6)

DATED this 13<sup>th</sup> day of January, 2009.


SCHULTHEIS TABLER WALLACE

By: N. Wallace  
Nicholas L. Wallace, WSBA #26157  
Attorney for Defendant  
Estate of Roger Hoose  
P.O. Box 876  
56 C Street N.W.  
Ephrata, WA 98823  
Phone: (509) 754-5264  
FAX: (509) 754-5835  
Email: schultab@bentonrea.com

**CERTIFICATE OF SERVICE**

I hereby certify that on January 14, 2009, I electronically filed the foregoing ESTATE OF ROGER R. HOOSE'S STATEMENT OF UNDISPUTED FACTS with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

stevecronin@mccbblaw.com



Nicholas L. Wallace, WSBA #26157  
Attorney for Defendant, Estate of  
Roger R. Hoose  
SCHULTHEIS TABLER WALLACE  
P. O. Box 876  
Ephrata, WA 98823  
Phone: (509) 754-5264  
Fax No. (509) 754-5835  
E-mail: schultab@bentonrea.com